



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,621	05/23/2000	Ryuji Ishiguro	SONY-T0608	2720

22850 7590 06/29/2006

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

LAFORGIA, CHRISTIAN A

ART UNIT PAPER NUMBER

2131

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,621

Applicant(s)

ISHIGURO ET AL.

Examiner

Christian La Forgia

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The amendment of 03 April 2006 has been noted and made of record.
2. Claims 9-17 have been presented for examination.

Response to Arguments

3. Applicant's arguments with respect to claims 9-17 have been considered but are moot in view of the new ground(s) of rejection.
4. See further rejections that follow.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,883,958 to Ishiguro et al., hereinafter Ishiguro, in view of U.S. Patent No. 6,751,598 to Yagawa et al., hereinafter Yagawa.
7. As per claims 9, 10, 11, 14, and 15, Ishiguro discloses an information system, comprising:
 - storing content data (column 3, lines 54-65);
 - comparing a previously calculated value with the hash value of the content data calculated (column 4, line 43 to column 5, line 15); and
 - controlling reproduction of the content data based on the result of the comparison performed (column 4, line 43 to column 5, line 15).
8. Ishiguro does not disclose means for setting a sequential number corresponding to the content data, the sequential number incremented by one when an operation is performed on the

Art Unit: 2131

content data stored in the means for storing content data; means for calculating a hash value corresponding to the content data by performing a predetermined calculation using at least a part of the management data associated with the content data and the sequential number.

9. Yagawa teaches means for setting a sequential number corresponding to the content data, the sequential number incremented by one when an operation is performed on the content data stored in the means for storing content data (Figure 8 [block 640]; column 10, line 55 to column 11, line 36; column 12, lines 18-58);

means for calculating a hash value corresponding to the content data by performing a predetermined calculation using at least a part of the management data associated with the content data and the sequential number (column 8, line 52-57).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply a hash function to the data, since Yagawa states at column 8, lines 52-57 that such a modification would serve as a way to authenticate to continue providing the content to the user.

11. Regarding claims 12 and 16, Yagawa teaches performing said calculation by applying a hash function to the calculation information included in the content (column 8, line 52-57).

12. Regarding claims 13 and 17, Yagawa teaches the management information includes identification information identifying the data (Figure 1 [blocks 21, 23, 31, 32], column 7, lines 18-47, column 9, lines 7-21).

13. Yagawa and Ishiguro do not teach wherein the data is music data.

Art Unit: 2131

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the combination of Yagawa and Ishiguro to musical data, since Yagawa states at columns and 4 that the present invention is directed to blocking the piracy of digital data and preventing the use of illegally obtained copies.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

16. The following patents are cited to further show the state of the art with respect to digital rights management, such as:

United States Patent No. 6,101,606 to Diersch et al., which is cited to show securing protected software from unauthorized use in computer networks.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2131

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792.


The examiner can normally be reached on Monday thru Thursday 7-5.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian LaForgia
Patent Examiner
Art Unit 2131

clf


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100